



**Certification Regarding the Release of Controlled Technology or Technical Data to Foreign Persons in the United States – H-1B / O-1 petitions (Part 6 of the Form I-129 Petition for Nonimmigrant Worker) and J-1 DS-2019 Requests.**

**University of Rochester Policy**

The University of Rochester has an [openness in research policy](#) and does not routinely enter into agreements that would impose a fundamental limitation on the ability to publish research results or restrict the participation of individuals (e.g. based on citizenship) from intellectually significant portions of educational and research activities.

**U.S. Export Control Laws**

The [Export Administration Regulations \(EAR\)](#) and the [International Traffic in Arms Regulations \(ITAR\)](#) control both the:

- Actual shipment or transmission of items and export-controlled information out of the U.S.; and
- Releasing or transferring export-controlled information and source code to foreign persons in the U.S. (“deemed export”)

The following are generally not subject to U.S. export control laws:

- Published / public domain information
- Information resulting from research in which the results are ordinarily published and shared broadly in the scientific community (results of “fundamental research”)
- Information released by instruction in a catalog course or associated teaching laboratory of an academic institution

The ITAR controls defense articles and defense services, which are information, services and tangible items that are listed on the [U.S. Munitions List \(“USML”\)](#).

Please contact the University’s Export Control Officer at [export@rochester.edu](mailto:export@rochester.edu) if you have any questions about export compliance or this certification.



**Certification by Hosting Faculty Member**

Print name of Beneficiary: \_\_\_\_\_

Requested Non-immigration status (select one):

H-1B  J-1  O-1  Other \_\_\_\_\_

I, \_\_\_\_\_, hereby certify to each of the following:  
(Hosting Faculty Member)

All information that will be released or provided to the above named beneficiary will be:

- Already published / in the public domain;
- Information resulting from fundamental research; and/or
- Information released by instruction in a University catalog course or associated teaching laboratory
- The beneficiary will not work with anything subject to the ITAR

Name (Hosting Faculty Member): \_\_\_\_\_  
(Print)

Signature: \_\_\_\_\_

Title (Dept. Chair): \_\_\_\_\_

Department: \_\_\_\_\_

Date: \_\_\_\_\_  
(mm/dd/yyyy)